

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: D. James Surmeier, et al.

Group No.: 1635

Serial No.: 10/761,557

Examiner: Chong

Filed: January 21, 2004

Entitled: **MANIPULATION OF NEURONAL ION  
CHANNELS**

**RESPONSE TO FINAL OFFICE ACTION MAILED  
NOVEMBER 13, 2008**

**EFS WEB FILED**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. § 1.8**

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being transmitted to the United States Patent and Trademark Office transmitted via the Office electronic filing system in accordance with 37 C.F.R. §1.6(a)(4).

Dated: May 13, 2009

By: /Michele R. Gilmer/

Michele R. Gilmer

Examiner Chong:

This communication is responsive to the Final Office Action mailed November 13, 2008.

Applicants respectfully request reconsideration in view of the following amendments and remarks. Applicants hereby request a three-month extension of time in which to respond to the outstanding office action. This communication is being submitted with a Request for Continued Examination (RCE).

The Commissioner is hereby authorized to charge any fees during the entire pendency of this application, including fees due under 37 C.F.R. §§ 1.16 and 1.17 that may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-4302, referencing Attorney Docket No. NWESTERN-08739. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).